

Patrick R. Leverty, Esq.

**LEVERTY & ASSOCIATES LAW CHTD.**

Reno Gould House

832 Willow Street

Reno, NV 89502

Telephone: (775) 322-6636

Facsimile: (775) 322-3953

Email: pat@levertylaw.com

*[Proposed] Liaison Counsel for Lead Plaintiff Movants*

*Michael Bestwick and Mark Hawkins*

*(additional counsel on signature page)*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

GLEN HARTSOCK, Individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

SPECTRUM PHARMACEUTICALS, INC., and  
RAJESH C. SHROTRIYA,

Defendants.

Case No. 16-cv-02279-RFB-GWF

Hon. Richard F. Boulware II

STIPULATION AND  
[PROPOSED] ORDER

OLUTAYO AYENI, Individually and on behalf of  
all others similarly situated,

Plaintiff,

v.

SPECTRUM PHARMACEUTICALS, INC.,  
RAJESH C. SHROTRIYA, KURT A.  
GUSTAFSON, JOSEPH TURGEON, and LEE  
ALLEN,

Defendants.

Case No. 2:16-cv-02649-KJD-VCF

WHEREAS, on September 21, 2016, the action *Olutayo Ayeni v. Spectrum Pharmaceuticals, Inc., et al.*, Docket No. 16-cv-07074 (C.D.Cal. Sep, 21, 2016) was commenced in the U.S. District Court for the Central District of California (“Ayeni Action”);

1 WHEREAS, on September 28, 2016, the related action styled as *Hartsock v. Spectrum*  
2 *Pharmaceuticals, Inc. et al.*, Docket No. 2:16-cv-02279 (D. Nev. Sept 28, 2016) (the “Hartsock  
3 Action”) was filed in this Court, currently pending before Judge Richard F. Boulware, II;

4 WHEREAS, on November 15, 2016, U.S. District Judge Dale S. Fischer ordered the  
5 transfer of the Ayeni Action to this court and the Ayeni Action is now pending before Judge  
6 Kent J. Dawson;

7 WHEREAS, the complaints in both the Ayeni Action and Hartsock Action assert claims  
8 under Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the “Exchange Act”) on  
9 behalf of a putative class which are subject to the Private Securities Litigation Reform Act of  
10 1995 (“PSLRA”), which provides for a specific process for the appointment of lead plaintiff and  
11 lead counsel to represent the putative class;

12 WHEREAS, Lead Plaintiff and Lead Counsel have not yet been appointed pursuant to  
13 Section 21D(a) of the Exchange Act;

14 WHEREAS, on November 21, 2016, Movant Anchorage Police & Fire Retirement  
15 System and Movants Michael Bestwick and Mark Hawkins filed two competing motions to  
16 Consolidate Related Actions, Appoint Lead Plaintiffs and Approve Counsel in the Hartsock  
17 Action; and

18 WHEREAS, on January 10, 2017, the Court filed a Notice Regarding Intention to  
19 Dismiss Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure in the Hartsock Action;

20 IT IS HEREBY STIPULATED AND AGREED among the undersigned parties, subject  
21 to the Court’s approval, as follows:  
22

23 1. The undersigned counsel for Defendants is authorized to accept service of the  
24 complaint in the Hartsock Action on behalf of Defendants, without prejudice and without  
25 waiver of any of Defendants’ defenses, objections, or arguments in this matter or any other  
26 matters, except as to sufficiency of service of process;  
27  
28

1           2.       No Defendant named in the complaint in the Hartsock Action shall be required to  
2 answer or otherwise respond to the complaint;

3           3.       Within seven (7) days after the appointment of Lead Plaintiff and Lead Counsel  
4 and the consolidation of the Ayeni Action and Hartsock Action, Lead Counsel and counsel for  
5 Defendants shall file a joint or separate proposed schedule(s) for the filing of (i) a consolidated  
6 amended complaint, and (ii) the answer or briefing of a motion to dismiss.  
7

8           IT IS SO STIPULATED.

9           Dated: January 27, 2017

**LEVERTY & ASSOCIATES LAW CHTD.**

10                   /s/Patrick R. Leverty

11                   Patrick R. Leverty, Esq. (Nevada Bar No. 8840)

12                   Reno Gould House

13                   832 Willow Street

14                   Reno, Nevada 89502

15                   Telephone: (775) 322-6636

16                   Facsimile: (775) 322-3953

17                   Email: pat@levertylaw.com

18                   *[Proposed] Liaison Counsel for Lead Plaintiff Movants*  
19                   *Michael Bestwick and Mark Hawkins*

20                   **THE ROSEN LAW FIRM, P.A.**

21                   Laurence M. Rosen, Esq. (*pro hac vice* to be filed)

22                   Phillip Kim, Esq. (*pro hac vice* to be filed)

23                   275 Madison Ave., 34<sup>th</sup> Floor

24                   New York, New York 10016

25                   Telephone: (212) 686-1060

26                   Facsimile: (212) 202-3827

27                   Email: lrosen@rosenlegal.com

28                   Email: pkim@rosenlegal.com

**BRONSTEIN, GEWIRTZ & GROSSMAN, LLC**

Peretz Bronstein (*pro hac vice* to be filed)

Shimon Yiftach (*pro hac vice* to be filed)

60 East 42nd Street, Suite 4600

New York, NY 10165

Tel: (212) 697-6484

Fax: (212) 697-7296

Email: peretz@bgandg.com

Email: shimony@bgandg.com

*[Proposed] Co-Lead Counsel for Counsel for Lead Plaintiff Movants Michael Bestwick and Mark Hawkins*

Dated: January 27, 2017

**COOKSEY, TOOLLEN, GAGE, DUFFY & WOOG**

/s/Griffith H. Hayes

Griffith H. Hayes (Nevada Bar No. 7374)  
3753 Howard Hughes Parkway, Ste. 200  
Las Vegas, Nevada 89169  
Telephone: (702) 949-3100  
Facsimile: (702) 879-9175  
Email: ghayes@cookseylaw.com

*[Proposed] Local Counsel for Lead Plaintiff Movant Anchorage Police & Fire Retirement System*

**BLEICHMAR FONTI & AULD LLP**

Javier Bleichmar (*pro hac vice* to be filed)  
Cynthia Hanawalt (*pro hac vice* to be filed)  
7 Times Square, 27th Floor  
New York, New York 10036  
Telephone: (212) 789-1340  
Facsimile: (212) 205-3960  
jbleichmar@bfalaw.com  
chanawalt@bfalaw.com

*[Proposed] Counsel for Lead Plaintiff Movant Anchorage Police & Fire Retirement System and Proposed Lead Counsel*

Dated: January 27, 2017

**LAW OFFICE OF TELIA U. WILLIAMS**

/s/Telia U. Williams

Telia U. Williams, Esq.  
Nevada Bar No. 9359  
10161 Park Run Drive, Suite 150  
Las Vegas, Nevada 89145  
Tel: (702) 835-6866  
Fax: (702) 363-8851  
Email: telia@telialaw.com

**BLOCK & LEVITON LLP**

Jeffrey C. Block, Esq.  
Joel A. Fleming, Esq.

1 155 Federal Street, Suite 400  
2 Boston, Massachusetts 02110  
3 Tel: (617) 398-5600  
4 Fax: (617) 507-6020  
5 Email: jeff@blockesq.com  
6 Email: joel@blockesq.com

*Counsel for Plaintiff Glen Hartsock*

7 Dated: January 27, 2017

**LATHAM & WATKINS LLP**

8 /s/Colleen C. Smith  
9 Colleen C. Smith

10 Michele D. Johnson (*pro hac vice* to be filed)  
11 Sarah E. Diamond (*pro hac vice* to be filed)  
12 **LATHAM & WATKINS LLP**  
13 650 Town Center Drive, 20th Floor  
14 Costa Mesa, CA 92626-1925  
15 Telephone: (714) 540-1235  
16 Email: michele.johnson@lw.com  
17 sarah.diamond@lw.com

18 Colleen C. Smith (*pro hac vice* to be filed)  
19 **LATHAM & WATKINS LLP**  
20 12670 High Bluff Drive  
21 San Diego, CA 92130  
22 Telephone: (858) 523-8400  
23 Email: colleen.smith@lw.com

24 Anna E. Berces (*pro hac vice* to be filed)  
25 **LATHAM & WATKINS LLP**  
26 505 Montgomery Street, Suite 2000  
27 San Francisco, CA 94111  
28 Telephone: (415) 391-0600  
Email: anna.berces@lw.com

Jeffery A. Bendavid (Nevada Bar No. 6220)  
**MORAN BRANDON BENDAVID MORAN**  
630 South 4th Street  
Las Vegas, Nevada 89101  
Telephone: (702) 384-8424  
Email: j.bendavid@moranlawfirm.com

*Counsel for Spectrum Pharmaceuticals, Inc., Rajesh C. Shrotriya, Kurt A. Gustafson, Joseph Turgeon, and Lee Allen*

SO ORDERED this 31st day of January, 2017



Honorable Richard F. Boulware II  
U.S. District Court Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on January 27, 2017, I electronically filed the foregoing document using the CM/ECF system which will send notification of such filing to the e-mail addresses registered in the CM/ECF system, as denoted on the Electronic Mail Notice List.

/s/William R. Ginn

William R. Ginn